



W.P.No. 375 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 20.01.2025

Coram:

THE HONOURABLE Mrs.V.BHAVANI SUBBAROYAN

W.P.No.375 of 2025

R.Murugan

...Petitioner

Vs.

1. The Joint Registrar of Co-operative Societies,
Chengalpattu Region,
Chengalpattu District
2. The Deputy Registrar of Co-operative Societies,
Chengalpattu Circle,
Chengalpattu District
3. The Management,
G-1814, Agaram Primary Agricultural Co-operative
Credit Society Limited
Rep. By its Administrator,
Agaram Village,
Andalkuppam, PO, Cheyyar Taluk.

...Respondents

Prayer: Writ Petition filed under Article 226 of Constitution of India for issuance of a Writ of Mandamus directing the respondents to fix the revised the pay scale and release the retirement benefits of the petitioner from the date of retirement, i.e, 31.03.2024 till the payment is made thereby considering the final representation dated 12.09.2024 within a stipulated time fixed by this Court.



W.P.No. 375 of 2025

For Petitioner : Mr.L.P.Shanmuga Sundaram

For Respondents : Mr.S.Arumugam for R1 and R2
Government Advocate
Mr.U.Baranidharan for R3
Additional Government Pleader

ORDER

The present Writ Petition has been filed for an issuance of a Writ of Mandamus directing the respondents to fix the revised the pay scale and release the retirement benefits of the petitioner from the date of retirement, i.e, 31.03.2024 thereby considering the final representation dated 12.09.2024 within a stipulated time fixed by this Court.

2. The brief facts of the case, as averred by the petitioner are as follows:-

The petitioner joined as an Attender in the 3rd respondent Society on 02.07.1987. Thereafter, the petitioner was promoted as clerk on 21.08.1988 and his service was regularized as clerk on 12.03.2001 and promoted as senior clerk on 30.11.2008. The petitioner has completed 37 years of unblemished service in the 3rd respondent society and the petitioner was permitted to retire from service on attaining superannuation on 31.03.2024, however, without releasing retirement benefits and not fixing the revised pay scale. Therefore, the petitioner



W.P.No. 375 of 2025

made a representation to the 3rd respondent on 03.05.2024, for which, the 2nd respondent replied indicating that remaining retirement benefits will be disbursed after audit of the year 2023-2024, however, the 3rd respondent did not pay the benefits inspite of several representations to the respondents on 10.06.2024, 12.08.2024 and 12.09.2024. hence this petition.

3. The learned counsel for the petitioner would submit that as per the Tamilnadu Co-operative Societies Act, under Sections 78 & 79, the respondents have no jurisdiction to retain the terminal benefits of the petitioner after the date of superannuation on 31.03.2024. The retirement benefits will be around Rs.20,00,000/-, but the respondents without any details have paid a consolidated amount of Rs.4,00,000/- on 24.04.2024. Since several representations made by the petitioner have not been considered, the petitioner has come up with the present petition.

4. The learned Government Advocate and the learned Additional Government Pleader appearing for the respondents seeks to grant sufficient time to consider the representations of the petitioner.

5. Considering the above said facts and circumstances of the case and the submissions made on either side, this Court hereby directs the respondents/



W.P.No. 375 of 2025

authorities to consider the representation of the petitioner dated 12.09.2024 and pass appropriate orders on merits and in accordance with law within a period of sixteen weeks from the date of receipt of a copy of this order.

With the above observation, this petition is disposed of. No costs.

20.01.2025

Index : Yes / No;
Internet : Yes / No
Speaking Order / Non Speaking Order

To

1. The Joint Registrar of Co-operative Societies,
Chengalpattu Region,
Chengalpattu District
2. The Deputy Registrar of Co-operative Societies,
Chengalpattu Circle,
Chengalpattu District
3. The Management,
G-1814, Agaram Primary Agricultural Co-operative
Credit Society Limited
Rep. By its Administrator,
Agaram Village,
Andalkuppam, PO, Cheyyar Taluk.



WEB COPY



W.P.No. 375 of 2025

V.BHAVANI SUBBAROYAN, J.

ssd

W.P.No.375 of 2025

20.01.2025